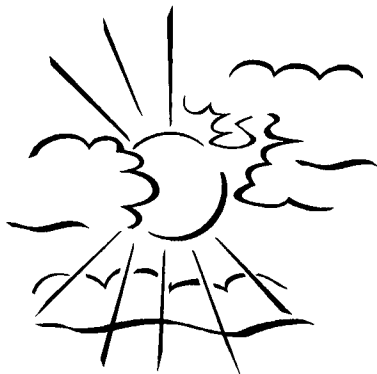


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Friday, October 28, 2005

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Michigan Report

October 27, 2005

AMOS OFFERS HALLOWEEN PROTECTION

As the Halloween weekend approaches, Rep. Fran Amos (R-Waterford) has introduced legislation that would prohibit sex offenders from participating in the trick-or-treating tradition.

The bill, HB 5377, restricts paroled sex offenders from distributing candy, having their house light on to indicate that they have candy or any other Halloween-related activity. The ban would be for Oct. 31 or any other day a municipality designates for trick-or-treating.

“We should not allow convicted sex offenders such easy access to trusting children,” Ms. Amos said in a release. “Halloween is a unique situation where we actually have unsuspecting kids standing on a sexual predator’s doorsteps. This is a way to protect kids from people that are interested in harming them and help them have a happy and safe Halloween experience.”

The bill has been referred to the House Judiciary Committee.

Meth labs pose high risk for children

Experts say drug manufacture puts toxic chemicals in too many homes.

By NATHAN THOMPSON

Capital News Service

October 23, 2005

LANSING -- Children are the often-forgotten victims of methamphetamine -- exposed to toxic chemicals while their parents are cooking the potent drug and then abandoned when police bust the labs and haul the parents off to jail.

Methamphetamine, also known as crank, speed or "meth," is an addictive drug. Unlike most street drugs, meth can be manufactured relatively easily in homes, automobiles or outdoor labs in remote areas.

Detective Lt. Wayne Edington, section commander for the Southwest Enforcement Team based in Calhoun County, said meth has been a rapidly growing problem for his narcotics team.

According to police records, there were 207 busts this year as of Sept. 21, a 60-percent increase over the same period last year.

"Meth has been the number-one problem for at least the last two or three years," Edington said.

"Probably 50 percent of our time is devoted to meth-related issues.

"I've personally been involved with a little more than 100 lab busts, and probably 50 percent of those have had either children present in the household, or it was clear that at some point they spent time there."

Experts said the drug can be particularly harmful to children.

"Meth is a neurotoxin, and because children still have developing brains, that's a big concern," said Erik Janus, a toxicologist for the Department of Community Health. "Kids are much closer to the ground, which doesn't sound like a big deal, but meth powder settles on the ground, where it can be crawled on."

Janus cited several other factors that make children more vulnerable to meth than adults. Some gases involved in manufacturing are heavier than air, and can sink to the floor and poison children. In addition, because children are smaller than adults, a dose of a chemical may have a much greater harmful effect than on an adult.

"From my perspective, when I look at how clean a house has to be after having a meth lab in it, we like to see it cleaned up to a level that would not impact those children who may be crawling on the floor," Janus said. "If you protect the health of the child, you protect the health of just about everyone else who's in the house, because the child is going to be the most sensitive."

Detective Lt. Tony Saucedo, unit commander for the Lansing-based State Police methamphetamine team, has seen things that would shock most people.

"We've had a case where a newborn's routine tests came back positive for marijuana and methamphetamine two hours after it was born," Saucedo said.

The police can catch the criminals, but dealing with family matters requires a different kind of expertise.

"If we find evidence of children living at the residence when we seize a meth lab, we immediately contact child protection services to come, and hopefully they remove the children and have them tested," Saucedo said.

Wendy Menifee, Allegan County child protection services supervisor, sees the problem of meth and children on a regular basis. Allegan County and other areas in Southwest Michigan have

been hit more heavily by the spread of meth than some other parts of the state.

"We're fielding about six to 10 referrals a month," said Menifee. "If there's a meth lab bust, the chemical exposure is an immediate concern. If there isn't a relative or someplace that we can have the children go voluntarily, we will involve the court system."

Police response to the possible presence of children is rapid, and they don't wait to finish their job before protective services officials start on their job.

"While they're continuing to look at the home and clean up the environment, we're looking at where the children can go," Menifee said. "Relatives, friends, and if we can't do that then we contact our judge to determine if we need court intervention at that point."

"From there we're following the case and determining whether the kids are safe. Then we assess the parents' ability, and if they're not able at that time to take care of the children," she said, the agency steps in.

Menifee said the unique aspects of meth present many more challenges than with some other drugs. The agency's response to families involved with other drugs, such as cocaine, is less urgent.

"The environment itself is hazardous, and we must remove the children from that home," Menifee said.

Edington agreed that the risk to children involves more than just physical exposure to chemicals.

"Meth causes a large release of natural chemicals that regulate our mood," Edington said. "But once the system is depleted of those chemicals, meth becomes a necessity to even stay awake and operate on a daily basis."

Edington said the most extreme case he'd experienced was a meth user who stayed awake for 11 days, then slept for four.

"If you've got children, you can't deal with them if you're asleep for four days at a time, and you can't do it if you're up for 11 days at a time and you're spending it making more meth,"

Edington said.

"A user's whole life can become meth, and everything else becomes secondary. The children are just something else that's there."

Police say Oscoda is a drug hub for region

by Elizabeth Herrick
Oscoda Press

October 26, 2005

OSCODA - According to local law enforcement, drug problems in Iosco County are worse than many citizens are aware of or willing to accept.

Those at the Michigan State Police (MSP) post in East Tawas say the need for a county-wide undercover drug investigation team is more desperate than ever. According to MSP Lt. David Street and D/Sgt. Robert Lesneski, drug abuse and distribution is on the rise, especially over-the-counter prescription painkillers.

Both men say the bulk of drugs in Iosco County are being distributed out of Oscoda.

Oscoda Township Police Department (OTPD) Sgt. Mark David agreed, saying it is not incorrect to assume the majority of the drugs come from Oscoda and have been for quite some time.

David said he has been on the force 22 years and the drug distribution has been a long standing problem.

"It's a regular occurrence and it's because we haven't had the manpower," he said.

Although David said he doesn't see the specific statistics, he believes the Strike Team Investigative Narcotics Group (STING) will help address the problem.

Oscoda and neighboring Au-Sable townships are among the few municipalities which recently joined STING after Iosco County bowed out a few years back.

STING is the multi-jurisdictional drug task force with an assigned coverage area which includes all or part of Iosco, Arenac, Oscoda, Ogemaw, Roscommon and Crawford counties.

An Oscoda police officer has also been assigned to STING since August.

STING Commander D/Lt. Jeff Keister said, although there is a large amount of drugs distributed in Oscoda, its larger population is a factor.

"My perception is, the more people in an area and the bigger the area, the more problems," said Keister. "The whole north end of Iosco County has the largest population base."

Keister said about 15,000 people live in Plainfield, Oscoda and AuSable counties combined.

D/Sgt. Mike Hahn of the Huron Undercover Narcotics Team (HUNT) - STING's sister drug task force for Alcona, Alpena and Presque Isle counties - said he has found this to be true in other

surrounding counties as well.

Hahn explained that a variety of drugs is being delivered to Oscoda from larger cities, such as Saginaw, Flint, Lansing and Detroit.

Since an Oscoda officer has been assigned to STING, Keister said, they have made some arrests in Hale and are obtaining several search warrants for the area.

"We're gonna be out there," said Keister. "We're building activity up."

Hahn said a county-wide drug team would be beneficial to Iosco, as HUNT can only help or supply resources to Iosco County if a drug crime in the HUNT district stems from the county.

"Iosco County has a drug problem," said Hahn. "They [drug dealers] have free reign. Iosco needs a team [for the entire county]. Anybody who says they don't doesn't know what's going on."

And what is going on are grounds for concern to everyone in the county, according to Street.

He stressed that drug use affects every person in the community, whether directly or indirectly, because it leads to other crimes, such as theft.

"Unfortunately, a lot of those people using drugs aren't working, so they steal to fund their habit," he said.

Lesneski said more than 100 breaking and enterings, which occurred earlier this year in Ogemaw, Alcona and Iosco counties, were drug related.

"Iosco County was hit bad. Habitually, the common denominator was drugs. This is an acute problem," Lesneski said.

Hahn estimates 90 percent of property crimes are committed by drug users.

Unfortunately, Hahn said, he foresees more aggressive drug related crimes in the future.

"Eventually, the drug market will be more open. Overdoses will go up and there will be fights over territory, like in the city. It's bleak, in my opinion," said Hahn, who served on STING from 1994-98, when it serviced Iosco County.

Since then, he said, the drug problems have escalated.

Abuse and sales of prescription drugs are huge problems and seem to dominate locally, according to Lesneski and Street.

Lesneski said the East Tawas state police started running into Oxycontin on the street about two years ago.

According to Street, one local house, identified as a drug distribution location, had more than 13,000 Oxycontin pills pass through it in the last year and a half.

Based on a \$40 per pill figure, this totals over \$500,000 in sales.

"It's high profit. If you sell something that a person needs to live, you have a captive audience," said Street.

Keister said STING has seen 35-40 percent increase in prescription drug distribution in the last three years.

Keister said STING has been kept busy with diversion cases associated with prescription drugs. He said the cases are difficult to investigate because anyone with a prescription suddenly has the potential of becoming a drug dealer.

"They take up a lot of our time," he said.

David said problems with prescription based drugs have existed in Oscoda for a while, with the most prevalently abused drugs being morphine-based painkillers, such as Oxycontin and Vicadin.

Community awareness rose about three years ago, after a popular local teenager overdosed on Oxycontin and died.

Oxycontin, the trade name for the drug oxycodone hydrochloride, is a time-release pain management drug, which was approved by the Food and Drug Administration (FDA) in 1995.

Keister said a new time-release pain killer called Palladone, which is four times as potent as Oxycontin, has been surfacing in the area.

"If we (Iosco County) don't take a proactive approach, it will get worse," said Street. "We don't want our hometown community to become an urban war zone."

"So much of the problem is behind the scenes and underground," said Hahn. "You must have insight into the culture. It is a sub-culture."

Hahn said dealers that sell prescription drugs usually go to numerous doctors to obtain prescriptions for drugs, such as Oxycontin and Vicodin, and then fill them at various pharmacies.

He calls on area physicians to be more aware of the problem.

"I don't see any effort by the doctors," said Hahn, who added he feels the local pharmacies take more responsibility than the doctors.

"The pharmacies do a little more research," he said.

Hahn said many pharmacies are on the lookout for doctor shoppers - identical prescriptions being filled for an individual by different doctors within a short time period.

However, Keister said, he feels the majority of the practitioners are very careful. Many use pain management agreements to regulate their patients. These are promises signed by patients that they will only use the drugs as prescribed, and which give doctors the right to sever ties with patients they believe are abusing prescription drugs.

In addition to higher crime rates, drug abuse results in social problems, such as suicides and unwanted pregnancies, Street said.

According to Dave Beck, deputy director for clinical services at AuSable Valley Community Mental Health, there has definitely been a rise in the abuse of prescription drugs - particularly those used for pain management.

The center offers group and one-on-one drug counseling, out-patient treatment and also runs a regional detoxification center.

Since Beck has been employed at the mental health center he said he has witnessed a shift in drug trends.

"It has predominately changed from people seeking help for alcohol abuse to illicit substances like prescription drugs and street drugs," said Beck. "The nature of substance abuse has changed over time."

Three years ago, Beck said, about 330 patients sought detoxification treatment per year, the majority of which was for alcohol abuse.

The number has since risen to more than 530 patients per year, with the majority seeking help for the abuse of pills and harder drugs like cocaine, meth and heroin.

Poly-substance abuse is also increasing, the term for multiple drug use, such as pills with alcohol.

In addition to an estimated 40 percent increase in people seeking detox, more younger people, generally in their late teen years, have been seeking help.

An increase has also been seen in individuals seeking treatment for meth addiction, Beck said.

Methamphetamine [crystal meth] is available and is being produced in Iosco County, particularly in Oscoda, according to law enforcement.

According to Keister, most of the individuals producing meth are using it up themselves or distributing it to small cliques.

Medical and social problems accompany meth use, according to Keister.

He said less than 60 percent of children removed from the home of a meth addicted parent return, as opposed to 80 percent with other substances.

Also, the majority of heavy users must seek medical care due to "meth mouth," which refers to the rotting of their teeth from smoking poisonous substances like drain cleaner.

"Chronic meth users have terrible dental problems," he said. "Our budgets for health care and child care are limited and there is a lack of foster homes in the area. Meth is our number one concern. We need to keep this stuff off the street and out of the local area," Keister stressed.

He said the STING team would be "swamped" if meth ever infiltrates northeast Michigan as it has in other midwest states in recent years and southwest Michigan.

Keister said about 200 highly explosive meth labs were found in Michigan since the beginning of this calendar year.

According to the National Institute on Drug Abuse (NIDA), emergency room mentions of prescription drugs containing oxycodone, including drugs such as Percodan, Percocet and Oxycontin, have increased across the country.

The NIDA is part of the National Institute of Health (NIH), a component of the United States Department of Health and Human Services.

Lesneski said he is aware of at least five deaths caused by drug overdose.

"Most [of the drug related deaths] are caused by narcotics," Street said.

Other narcotics have also been a problem, according to Street.

"We're seeing a large influx of crack-cocaine in the area," he said.

Street said the latest bulk of drugs in the county was transported from Saginaw.

Finding the drug source is another reason why the county needs a drug team, he said.

The Michigan State Police (MSP) and the MSP Third District Diversion Team recently arrested four subjects as the result of a crack-cocaine distribution investigation, including two Oscoda men.

Since Iosco County has no county-wide drug team, Lesneski said the diversion team that serves Genesee and Saginaw counties had to be called to execute the search.

"We have to call people from 100 to 150 miles away. And we have a narrow window to work with," explained Street.

Street and Lesneski say they both fear the problems will escalate if they are left with no means to address them.

"We live in Smalltown U.S.A., but we have things coming up from the cities, people living in motels," Street said.

Beck said problems with drugs like cocaine, meth and heroin are not just found in big cities, but are prevalent here.

"What you hear about in Flint and Detroit, it's here," he said.

When asked if he would be in favor of some sort of extra law enforcement or drug team, he said he would.

"I would support any movement coordinated in the community to address these issues," said Beck.

"We haven't had an active drug team in this area for years," said Street.

"We desperately need trained individuals to get the job done. It's a large investment, but we need a team with the 'know-how' to do it. What you're buying is expertise."

Lesneski agreed.

"It's not the kind of thing where you bring someone in for a week and make a bunch of arrests," said Lesneski. "People don't realize that drug people don't work on schedules like we do," said Lesneski, who recently made drug arrests after working 38 hours in two days.

But the chances of obtaining funding for a drug team on the county level are slim to none, according to several Iosco County commissioners.

Commissioner Patricia Schmidt said there aren't enough funds for a drug team. She said state cutbacks in revenue sharing make it hard to fund such a program.

"I'm sure that we all, as citizens, are aware of the drug problems, but money is tight," she said.

Commissioner John Moehring resounded that the county's budget revenues have dropped so drastically, he doesn't foresee any drug enforcement team, such as STING, returning anytime soon.

"There's no money available," he said.

Moehring said STING previously cost the county about \$30,000 per year.

"It's not that we [the board of commissioners] condone drug abuse, but where is the funding going to come from," Moehring asked.

Furthermore, Moehring alleged, there were problems with STING.

"We weren't getting any real reports on what they were doing," he said. "We were supposed to get annual reports and we didn't get any for two years," he alleged. "We have to answer to the taxpayers."

"In my opinion, they [STING] were going after small drug offenses and not getting the hard core offenses."

Moehring said the board chose to cut the program about two years ago, rather than cut jobs.

Both Street and Lesneski said some kind of team is needed in the area.

A common misconception, according to Lesneski, is that many people believe drug addicts are low income.

However, drug abusers in the local area come from all walks of life and all levels of income.

"Many of them [in the local area] come from good families with good upbringing," he said.

To anyone doubting there is a serious local drug problem, Street and Lesneski offered up this information: a state trooper confiscated heroin from a local high school student last year, while the student was in school.

"That's a problem," said Lesneski.

Police agencies - Tawas Police Authority, Oscoda Township Police, Iosco County Sheriff Department and MSP - do work together when necessary, but all are shorthanded.

Currently, the East Tawas MSP post has only one officer who is not in uniform and in an unmarked car for the whole county, he said.

"It's a joke to the drug people because they know we don't have an active drug team. They know if they don't see an officer in uniform or a police car around, they're probably safe," explained Street.

Without a county-wide drug team, Street said, most drug arrests stem from traffic stops.

"Every police officer is aware there is a serious problem," he said. "But they are frustrated because they want to do more, but can't. I will commend all the police officers."

"We need to do something collectively," said Lesneski. "I don't want to panic people, but I'm desperate. My worst fear is I'll get a homicide case."

Program helps kids conquer problems

Trace Christenson

The Battle Creek Enquirer

October 28, 2005

The Advocates, a program affiliated with St. Philip Catholic Church to work with youthful offenders helps teens get on the right track.

In 2004, May Bynum missed nearly 100 days of school.

"I just never got up to go," she said Thursday. "I didn't think much of school."

Today she has a plaque presented for improvements, not just for attendance, but for her school work.

The award came Thursday from The Advocates, a program affiliated with St. Philip Catholic Church to work with youthful offenders.

The 15-year-old was sent to the youth diversion program for first-time offenders after she was arrested for shoplifting. At the program, staff encouraged her to go to school.

"I found out if I don't go to school, I can't get a job," she said. "They told me how you could be successful. I didn't care about school, but I learned a lot."

A 10th-grade student at Battle Creek Central, Bynum

said she wants to be a hairdresser "or something to do with science. I really like science."

Tyreise Carpenter was nervous when he received his award, but more so when he gave one.

Carpenter, 17, is a former gang member who also was doing poorly in school until he was picked up by police for marijuana possession last year and sent to The Advocates. He didn't want to go because it required a lot of time.

"But most kids like staying in the program because the staff works with you," he said.

Carpenter gave up the gangs, has been clean of marijuana, graduated from South Hill Academy a year early and is enrolled at Kellogg Community College.

"I am studying business management and I want to go into architecture," he said. Thursday night, he presented a plaque to Prosecutor John Hallacy because of his support of the diversion program, which allows first-time offenders to successfully complete the Advocates program and avoid a criminal charge.

The plaque given to Hallacy had 432 names of youths who have completed the diversion program.

Hallacy said earlier that the program is impressive.

"The staff makes sure they

head the kids down the right path," Hallacy said. "They build trust with the kids."

Hallacy and Commander Jackie Hampton of the Battle Creek Police Department said The Advocates have drawn on different people in the community for support.

"One of the factors that makes them successful is you have a board that is made up of people, including from the criminal justice system, and you have people who are in charge of the program who advocate that the criminal justice system uses them," Hampton said.

"These are not necessarily bad kids, but they need some constructive intervention. They have an exceptional caring attitude about the kids."

Since its organization in 1999, the Advocates has served hundreds of youths.

In 2003 it began the diversion program for first-time offenders and in 2004 the alternative sentencing program, mostly for kids who have committed assaultive or drug offenses.

Judy Campbell, Advocates executive director, said 96 percent of those in the diversion program and 86 percent of those placed in the alternative sentencing program don't return to crime.

Programs can last six months or longer, and the ratio of adults available around the

clock to the youths is high. The program is designed to attack all kinds of problems including substance abuse, gangs, parental conflicts and school work.

The Advocates recently installed computers linked to the NOVANET program, allowing kids to study and regain credits they might have lost. Kids also are provided with some recreation activities in the Tiger Room on West Van Buren Street.

"We just try to adapt to what kids need," Campbell said.

One of two new programs starting in November is an anger management program called "Cage Your Rage," which will be required for all youth involved in assaultive crimes, including fighting.

The other new program is a martial arts class, designed to give them exercise and develop discipline.

"This is a way for them to release some energy in a program taught by probation officers and retired law enforcement officers," Campbell said.

She said the program is looking for a pool table as it accumulates diversions for the youths.

Campbell said the program also is looking for more money to expand.

"We want to be able to take more kids," she said. "We have 100 kids now and we could do 200, but we have to

nearly double our budget," she said. "Now we have the space and have kids out there, but we don't have the money."

Trace Christenson covers crime and courts. He can be reached at 966-0685 or tchrist@battlecr.gannett.com

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Quincy supervisor pleads guilty to CSC

By KURT HAUGLIE, Gazette Writer

October 28, 2005

HOUGHTON - Quincy Township Supervisor William Kotila pleaded guilty Oct. 21 to two counts of fourth degree criminal sexual conduct in Houghton County Circuit Court. Prosecuting Attorney Douglas Edwards said the charges were for sexual conduct with a minor related by blood.

Kotila, who was arrested on the charges in July, had been free on \$5,000 bond but that was revoked after he pleaded guilty and he is lodged in the Houghton County jail, Edwards said.

Flasher Suspect Exposes Self Again In Center Line

Schools To Send Letter Home With Students

POSTED: 2:12 pm EDT October 27, 2005

CENTER LINE, Mich. -- A man who flashed some students in Center Line on Wednesday may have exposed himself to another student on Thursday morning.

Center Line public school officials said a man matching the description of the flasher got out of a Jeep Grand Cherokee at about 8:15 a.m. near a 9-year-old girl who was walking to Peck Elementary School.

The man either had his pants down when he exited the vehicle, or pulled them down in front of the girl, according to school officials.

Officials from the city's department of public safety said Wednesday that three girls -- ages 7, 9 and 11 -- who attend Miller Elementary were about two blocks from the school when a man driving a black, four-door, newer-model Jeep Grand Cherokee with tinted windows pulled up next to them.

Authorities said the man opened a door on the vehicle and was wearing only a T-shirt and socks. The girls screamed and ran in the opposite direction toward their homes, according to Local 4 reports.

The man was described as white, 20 to 30 years old, with a slim build, and short brown hair spiked on top, according to public safety officials.

Center Line and Warren police have increased patrols near schools in the area.

School officials said they're reviewing safety precautions with students, advising them to walk to and from school in groups and report suspicious encounters to school personnel as quickly as possible.

A letter from the school district describing the incidents was expected to be sent home with pre-kindergarten through 12th-grade students on Thursday.

Govs. break NGA ranks on Medicaid

By Jeffrey Young
The Hill

October 27, 2005

The Bush administration has shattered the National Governors Association's (NGA's) unified front in the ongoing debate about the future of Medicaid by successfully courting two governors to participate on a controversial panel.

Florida Gov. Jeb Bush (R) and West Virginia Gov. Joe Manchin (D) have agreed to sit on the Department of Health and Human Services' (HHS) Medicaid Commission, which wraps up a two-day meeting today. HHS announced the new panel members Tuesday.

The NGA had rejected offers to participate in the process despite the administration's holding open two seats on the panel. The governors instead have worked independently to develop recommendations to the White House and Congress about how to reform Medicaid, which has become a major drag on state budgets. HHS Secretary Mike Leavitt assembled the panel after Congress authorized it in the fiscal year 2006 budget resolution.

The defection of two governors from this formerly unanimous position could lend an air of credibility to the Medicaid Commission, which had been shunned not only by the governors but also by Congress.

It also represents the latest rift between the Bush White House and the NGA as administration proposals on reshaping Medicaid have set off a number of public and private disputes.

Manchin professed to being unaware of the NGA's position until being informed by a reporter and added that he never thought about how other governors or congressional Democrats would react to his decision.

"I'm not privileged to [know] the Beltway politics," he told The Hill yesterday.

Manchin's move could be viewed as an apostasy by some governors and by his party's leadership in Congress.

"I haven't been chastised by anyone," Manchin said.

In addition to the NGA's shunning the commission, congressional leaders in both parties chose not to name members of Congress to sit on the panel as nonvoting advisers, as they were entitled to do under the budget resolution. Congressional Democrats forcefully dismissed the entire process as a rubber stamp for the administration's already-established positions on Medicaid. Sen. Jay Rockefeller (W.Va.), who is the Senate Democrats' point man on Medicaid reform, spoke out last week upon learning of Manchin's decision.

"Congressional Democrats are not participating in this commission because the Bush administration refused to assure us that it was about anything other than making billions in Medicaid cuts," he said, according to the Charleston Gazette, which first reported that Manchin would join the panel.

The cooperation of Bush, a conservative Republican and the president's brother, will surprise few in Washington. Moreover, the administration recently approved Florida's request to use private health-insurance companies to administer Medicaid for more than 2 million of the state's beneficiaries. The Florida program could be a harbinger of the direction in which the administration wants to take Medicaid.

Bush, whose home state is reeling from Hurricane Wilma, did not attend the meeting. A call to Bush's office was not returned.

Manchin said he spoke with Virginia Gov. Mark Warner (D) yesterday and has been trying to reach Arkansas Gov. Mike Huckabee (R); Warner and Huckabee are leading the NGA's Medicaid-reform efforts. Manchin did not discuss his decision with other governors until after informing Leavitt that he would join the commission, said Lara Ramsburg, his communications director.

Warner "understands that [governors] have to be involved" in the Medicaid-reform process, Manchin said. Having sitting governors on the panel "would be a plus for all governors," he predicted. "The system is going to change and probably should change," he added.

West Virginia has an application pending at HHS to allow the state to make changes to its Medicaid program. "That's my main concern," he said. Nonetheless, he emphasized, "There was no strings attached when I was asked to serve" nor a "litmus test" about his views on Medicaid reform.

Manchin based his decision on his assessment of the best interests of West Virginia, Ramsburg said. "He really sees it from a West Virginia perspective," she said Tuesday. "The needs of the state ... need to be of the utmost concern."

Leavitt approached Manchin about the commission earlier this month. Manchin concluded that sitting on the commission would provide "an opportunity for West Virginia to have a voice,"

Ramsburg said. The state's top Medicaid official, Nancy Atkins, already is on the panel.

The commission issued a report in September — only two weeks after its first meeting — and is planning to release a set of recommendations on long-term Medicaid reform by Dec. 31, 2006.

The budget-reconciliation bills that passed through the Senate Finance Committee and the House Energy and Commerce Committee both include some Medicaid cuts similar to those espoused by the commission and by the NGA.

As originally conceived by Sens. Gordon Smith (R-Ore.) and Jeff Bingaman (D-N.M.), the commission would have been independent of the administration and explicitly bipartisan. Smith rejected a request by Majority Leader Bill Frist (R-Tenn.) to sit on the panel.

October 27, 2005

GEORGE PROPOSES INSURANCE 'WELLNESS' REBATES

Health insurance companies could offer rebates to companies and their workers for people participating in wellness programs under legislation introduced Thursday by Sen. Tom George (R-Portage).

The proposal could go a long way to encouraging Michigan residents to adopt healthier practices – such as stopping smoking and exercising more – which would help cut the cost of health insurance, Mr. George said.

He called the proposal “phase two” of his drive to have the state adopt healthier practices. Earlier this year he had proposed tying Medicaid co-pay amounts to guarantees from Medicaid recipients that they would follow healthy practices.

Health insurance companies are not now permitted to offer rebates for healthy behaviors, but SB 848 and SB 849 would permit those rebates. The legislation would not change any health insurance requirements directed by federal or state government, such as bans on denying coverage for pre-existing conditions.

Larger companies that self-insure their health insurance can offer wellness programs for their workers, and Mr. George was aware of several companies that did so.

“We don’t really have health insurance,” he said at a press conference. “We have sickness insurance” that treats individuals for diseases and injuries. “Health insurance doesn’t do much to keep you healthy.”

Because the state leads the nation in such unhealthy factors as obesity, smoking, heart disease and diabetes, Mr. George said, “Michigan is the best place to lead with these incentives because of our poor conditions.”

The legislation does not dictate what conditions and practices a wellness plan should include, although Mr. George said he would focus on smoking, activity and safety practices, such as using seat belts, among other things.

Luther Manor to host senior health fair

By SARA ROBINSON
Alpena News Staff Writer

A senior health fair Wednesday will give residents the opportunity to learn what resources are available in the community. And at the same time, they will have the chance to receive both free screenings and yearly flu shots.

The health fair, which is sponsored by Luther Community Manor, Tendercare Alpena, Tendercare Greenview, and the Alpena Regional Medical Center, will feature booths by a number of different agencies that provide services to seniors, from nursing homes to support groups to home care. A representative from Sen. Debbie Stabenow's office will also be on hand to address senior issues.

"We want to make sure the seniors in the community can get the information they need," said Diana Hale, admissions and marketing coordinator for Tendercare Alpena and one of the health fair coordinators.

But the fair is not only for seniors, said Annie Hepburn, Tendercare Greenview social services, admissions, and marketing coordinator, who is also an event coordinator.

"I would say there is anything for all ages — for caregivers, for (senior) residents themselves," she said.

Just as vital as the information that will be disseminated at the fair, is the services that will be offered.

Free blood pressure, cholesterol, glaucoma and colorectal cancer screenings will be offered to all.

A supply of flu shots also will be available at the fair. The cost is \$25, or free to those who have Medicare cards.

The fair will be held from 10 a.m. to 2 p.m. Wednesday at Luther Community Manor.

Sara Robinson can be reached via e-mail at srobinson@thealpenanews.com or by phone at 354-3111 ext. 316.

Medicare meetings set for next week

Friday, October 28, 2005

The Grand Rapids Press

GRAND HAVEN -- The North Ottawa County Council on Aging and North Ottawa County Community Health System are sponsoring two informational meetings on the Medicare drug program. The first is at 7 p.m. Monday at the Grand Haven Community Center, 421 Columbus St., Grand Haven. The second is at 7 p.m. Tuesday in Coopersville at the old high school gym, 198 East St. The presentation will be led by an expert on the program. Call (616) 842-9210, in Grand Haven, or (616) 997-1786, in Coopersville.

Gorcyca outraged about hushed sex case

Web-posted Oct 28, 2005

By Stephen Frye
Of The Oakland Press

Nathaniel Abraham was investigated for possibly fathering the child of a staff member at the W.J. Maxey Boys Training School, where he has been held since his conviction for seconddegree murder, court arguments revealed Thursday.

A DNA test showed he was not the father of the child, but prosecutors are livid at not being given the information about Abraham - one of the nation's youngest convicted murderers, who shot a man at age 11 in his hometown of Pontiac in 1997 and was later sentenced as a juvenile to be held until he is 21.

Now 19, Abraham will leave state custody in January 2007.

After that, he is completely free, and Oakland County Prosecutor David Gorcyca fears Abraham - who shot Ronnie Green Jr. to death - has not been rehabilitated.

"I don't hold a lot of optimism for Nate's future," Gorcyca said. "I'm very concerned that when he gets out he may reoffend."

Whether Abraham engaged in a sexual relationship with a staffer at Maxey, which would not be a crime for Abraham but would be for the staffer, remains unclear.

Gorcyca also was displeased with his office being excluded from a meeting between the judge and Abraham's attorneys and social workers two weeks ago.

"We are entitled to be at every meeting and at every court hearing," Gorcyca said.

Gorcyca has taken a strong approach to the Department of Human Services, saying that there have been "deliberate and disingenuous acts ... to hide this information," on the alleged sexual contact, from his office.

"To engage in such deliberate deceit and dishonesty is shocking beyond words," Gorcyca wrote to the head of the agency. "To deny the Oakland County Prosecutor's Office the information is deceitful and dishonest, but to deny the victim's family the information is blatantly cruel."

Gorcyca has subpoenaed all recent reports involving Abraham from Maxey, citing the failure of the Department of Human Services to provide information on Abraham's status.

The revelations about the investigation occurred during what was supposed to be a simple hearing Thursday involving a request by Maxey for Abraham to visit an uncle living in Jackson County.

Oakland County Probate Judge Eugene Arthur Moore ruled Thursday that Abraham could make the visit if all of the people living at the uncle's home were subjected to background checks and if the visit were supervised.

But in asking for the visit, Elaine Rosati, the courtappointed guardian for Abraham, also said Abraham should be considered for a halfway house in Bay City to spend the last year in custody, learning how to live productively in society. She said he has exhibited leadership skills on the football field and is working toward bettering himself.

She said it's important for Abraham to start working toward his future, finding a substantial job and learning life skills outside confinement.

"He must go forward," Rosati said. "Nate is thoroughly institutionalized. He's bored."

But Deputy Chief Prosecutor Deborah Carley objected to the hearing, because a regularly scheduled review hearing is set for Nov. 14.

"I don't feel we have enough information about Nate to allow him off campus for an unsupervised visit," Carley said. "We need to find out what Nate is and isn't doing. There's something happening out at the Maxey Training School. I'm getting one wall after another from DHS and everyone else."

What started as rumors that Abraham had fathered a child turned into a police investigation, Department of Human Services juvenile justice specialist Rick Cardew confirmed in court. Officials could not say if Abraham engaged in a sexual relationship with the staff member, who reportedly held a supervisory role over Abraham.

While the Maxey staffer is not at work, Carley said she's heard both that she was fired and that she was on maternity leave.

Cardew told the judge that Abraham had been interviewed at the Brighton post of the Michigan State Police regarding the incident, the first Carley had heard of a law enforcement investigation. Abraham's new attorney, Lanita Haith, said such an allegation does not indicate any criminal activity because both would be adults.

But Carley said, "There's no consensual sexual activity that an inmate can have with a staff member of an institutional facility."

She asked Moore to not hurry any decision regarding Abraham's placement for next year.

"For the last six months, we've been rushing Nathaniel to finish the program because his performance has not allowed him to finish," Carley said.

Agencies ready to help with soaring home heating costs

by Alex Lundberg
Observer Eccentric Staff Writer

October 27, 2005

With cold weather on the way and home heating prices guaranteed to be higher than they've been in decades, public assistance organizations are putting the word out that there's help, advice and cash available to get people through the coming Michigan winter.

The Salvation Army, the Michigan Public Service Commission and The Heat And Warmth fund held a press conference last week to let people know there are many avenues of help available to get heating assistance this year.

Salvation Army Maj. Norman Marshall said between the recent hurricanes in the Gulf of Mexico and the global market for petroleum products, it's going to be expensive to heat a home this winter.

"The rising cost of utilities will impact every Michigan household," he said. "The increase is expected to be between \$40 and \$60 (a month), but I think that's conservative."

MPSC Chairman J. Peter Lark said he would be making tours of the state to put the word out about the resources - both in terms of advice and aid - the state has to offer.

He said people are going to need all the help they can get.

"The winter energy appraisal predicts that heating costs will increase to \$187 a month, based on a 1,200- to 1,800-square-foot home," Lark said. "That's \$59 over last year, assuming we have an average winter."

Whatever passes for average (last winter was slightly warmer than the one before it) prices have been slowly marching upward since the turn of the century. The average cost to heat that hypothetical home was \$88 in 2002, \$114 in 2003 and \$128 last year. A potential bright spot: Michigan has the eighth-lowest natural gas prices in the country.

Still, there are a lot of simple things to do to reduce the impact of higher gas prices.

"Now is the time to start planning and take easy steps to minimize the costs," Lark said. "Dial down the thermostat and put up weather stripping. A programmable thermostat costs \$40 and can save that much money in the first month."

The programmable thermostat dials itself down at night and during the day when no one is at home. Every degree cooler a house is, he said, represents a 3-percent reduction in heating cost. He also said utility companies offer payment plans that can prevent people from being cut off in the middle of the cold season. The MPSC has given out \$150 million since 2002 in the form of grants to heating-related aid organizations and he said that only a third of the people who qualify for that aid ever ask for it.

Kathy Walgren of The Heat and Warmth fund (THAW), said her organization was created during the last energy crisis and continues to this day helping low-income people keep the heat on during the cold months.

She said when people can't pay to heat their homes the right way, they turn to more dangerous alternatives like kerosene heaters and candles. The number of people in that situation is expected to rise.

"There's the traditional group of the continually unemployed and there's the working poor," Walgren said. "But the fastest-growing segment of the 'poor' population are people who are 150 to 200 percent over the poverty line. These are people who've never looked for help before."

Port Huron Times Herald

October 27, 2005

Town hall to focus on heating bills

State Rep. John Espinoza, D-Croswell, will have a town-hall meeting at 5:30 p.m. Nov. 3 to discuss home-heating assistance. Espinoza and guest panelists will discuss programs available to help residents with heating costs. The meeting will be in the Council on Aging building, 600 Grand River Ave., Port Huron. For details, call (517) 373-0835.

Homeless havens fight to stay open Westland zoning board won't let church act as a soup kitchen, warming center from Jan. to June.

By Karen Bouffard / The Detroit News

October 28, 2005

WESTLAND -- Paul Sadow, 56, says he worked for 30 years before his eyesight got so bad he couldn't hold a job.

Now he has no home, no income, no transportation and no medical care; for the past year, he has lived outdoors, under a tree. The clean-shaven and polite former production worker with Rayco Plating has found five hot meals a week and a warm place to stay on cold winter nights at the Full Gospel Temple church on Palmer in Westland.

But advocates for the homeless are dismayed by the refusal of the city's Zoning Board of Appeals to grant it a zoning change to stay in business as a soup kitchen and nighttime warming center from January to June.

For several days, hungry people lined up at the soup kitchen door were told they couldn't come inside but were given coffee, milk and doughnuts by heartbroken volunteers. After Westland Mayor Sandra Cicirelli intervened, the shelter reopened. But its problems with the city are far from resolved, and church officials fear the shelter could still be put out of business.

Full Gospel Temple isn't the first church to tangle with local officials over feeding or sheltering the poor -- a problem that could worsen this year due to high unemployment and rising energy bills.

Wayne County has nearly 11,000 homeless, according to estimates from the Michigan State Housing Development Authority. About 1,300 people are without homes in Oakland County and nearly 600 in Macomb County.

Most of Wayne County's homeless are in Detroit, Hamtramck and Highland Park. But on any given day, about 735 people are believed to be homeless in suburban Wayne County, according to Jennifer Lepard, of the Wayne-Metro Community Action Agency.

"This year, we're facing higher utility bills, people continue to lose their jobs, to lose their housing," Lepard said. "In a time when the economy is such as it is right now, you would expect that number to increase."

Plymouth Township ticketed the First United Methodist Church in 1995, when the church opened a shelter without first applying for a housing permit. The permit was eventually granted, and the township waved a \$1,000 fine. And in Pontiac, the Grace Center of Hope Rescue Mission repeatedly has been at odds with city officials and was raided by police in 2001.

In Westland, Full Gospel Temple operated its soup kitchen in violation of city ordinances for 15 years, and its warming center for four years. But the city winked at the violations until getting a complaint that a few patrons of the warming center had begged for money from children who attend nearby Adams Middle School.

"I didn't know I had to get the city's permission to do in a church what the Bible tells us to do," said the Rev. Mike Enerson.

At a meeting last week, about 100 volunteers and homeless people urged the Zoning Board of Appeals to allow the facility to stay open. The board denied the request on a 5-2 vote.

"It's right down by the school. You've got children walking by there every day. It was for the best interest of everybody in Westland, and not just for the homeless folks," said Roger Coldwell, a member of the zoning board. "I wasn't opposed to the soup kitchen, I was opposed to the overnight (warming center); I wouldn't want it next to my house."

Mayor Cicirelli called the pastor Friday afternoon and said he could reopen the soup kitchen while city officials help the church find a place to relocate the center. But Enerson said he's still worried. Rhonda Hanson, 32, hopes the city will allow the soup kitchen and warming center to stay at Full Gospel Temple. She's not worried about harm coming to her son, a sixth-grader at Adams Middle School.

"It's vital to the community to have a place where people can warm up in the winter and get a bite to eat," Hanson said, "especially with all the layoffs, and gas prices, and all of that."

You can reach Karen Bouffard at (734) 462-2206 or kbouffard@detnews.com.

Detroit News

October 28, 2005

Howell

Grant to boost elder abuse awareness

The Livingston Area Council Against Spouse Abuse will use a \$5,000 grant from the Michigan Blues to support a campaign to raise awareness of elder abuse and neglect in Livingston County. The campaign will use news releases, public service announcements, radio interviews and brochures to increase the number of crisis line calls from health care workers and other community members. Blue Cross Blue Shield of Michigan and Blue Care Network are supporting Elder Abuse Awareness programs with grants to 11 senior services organizations across the state. The grants range from \$1,000 to \$5,000.

Tribe plans boundary suit

By MARK RANZENBERGER

Sun Staff Writer

PUBLISHED: Thursday, October 27, 2005

The Saginaw Chippewa Indian Tribe announced Wednesday it would file suit in federal court to try to force the state of Michigan to recognize what it claims as its reservation boundaries.

"This lawsuit is needed to end the state's continuing and unrelenting violation of the Tribe's sovereignty," said a statement from the Tribal Council.

The promised suit would be filed in U.S. District Court for the Eastern District of Michigan. The council's statement said it would be filed in "approximately one week."

The Tribe's statement said the suit would ask a federal judge to require the state to "recognize the Tribe's reservation boundaries as established by the Treaties of 1855 and 1864 between the Tribe and the federal government."

The 1855 Treaty of Detroit with the Saginaw, Black River and Swan Creek bands of Chippewa Indians set aside six townships in what is now Clare County for the Natives. The 1864 treaty moved the land to what is now Isabella County.

Both treaties allowed Natives to obtain federal land the Natives would own outright. The Isabella County land totals 138,240 acres, of which about 98,000 acres were issued by the federal government to Native owners.

However, many of those owners lost or sold their land, and today, only 724 acres is in formal, federal trust status.

The Tribe claims jurisdiction over the north half of Chippewa and Union townships, and Deerfield, Denver, Isabella, Nottawa and Wise townships. That includes Rosebush, Beal City, the portion of the city of Mt. Pleasant north of High Street and the part of Weidman east of Woodruff Road.

The Isabella Reservation also includes the Saganing land in northern Arenac County. The dispute over what constitutes reservation boundaries has simmered for decades. It's not clear what prompted the Tribal Council to move now.

The federal Bureau of Indian Affairs provided money for reconstruction of part of Baseline Road several years ago on the premise that the land was part of the Isabella Reservation. The federal Environmental Protection Agency recognizes the larger area as "Indian Country" where the state has no jurisdiction in some cases.

However, the state environmental agency, the Michigan Department of Environmental Quality, has maintained it has authority over at least non-Tribal entities there. State and county authorities have not hesitated to prosecute Tribal members arrested away from trust land but within the larger area claimed by the Tribe.

The Tribe's statement charges the state has tried to regulate Tribal waste water treatment facilities – which are located on trust land – as well as removed Native children from their homes and levied improper taxes on Tribal members.

The Tribe's claim of sovereignty says "federal law prohibits states from exercising these types of regulatory and criminal jurisdiction within the boundaries of the reservation established by treaties with the federal government."

A spokesman for Michigan Attorney General Mike Cox, whose office would defend the state against the promised suit, could not be reached for comment Wednesday afternoon.

Jobless Rates Move Down Across Most Of State

The Department of Labor and Economic Growth (DLEG) announced today that September unemployment rates were down in 14 of the state's 17 major job markets.

"The unemployment rate went down or held steady in most areas of Michigan in September," said Rick **WACLAWEK**, director of the Bureau of Labor Market Information and Strategic Initiatives. "In most regions, increases in both state and local government education employment was offset by labor force withdrawal among youth and a decline in summer and tourism-related employment."

The Detroit-Warren-Livonia Metropolitan Statistical Area (MSA) recorded a relatively significant drop in unemployment when the areas jobless rate fell by 0.7 percent.

From August to September, regional jobless rates showed little change. In 12 areas, unemployment rates were either unchanged or registered declines of 0.1 or 0.2 of a percentage point. Employment and labor force levels declined seasonally in the majority of areas over the previous month.

When compared to September of last year, 15 of the state's 17 major markets saw a net drop according to DLEG. Declines ranged from 0.2 percent to a full percentage point. The largest declines occurred in the Saginaw-Saginaw Township North, Muskegon-Norton Shores, Detroit Warren-Livonia and Bay City MSAs.

Jobless rates remained unchanged over the year in the Lansing-East Lansing and Monroe MSAs.

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October 27, 2005

LOCAL JOBLESS RATES DECREASE

Seasonally unadjusted unemployment went down in 14 of the state's 17 labor areas in September from August, the Department of Labor and Economic Growth reported Thursday.

Of the regions registering jobless rate decreases, the Detroit metropolitan area recorded the most significant drop at a rate of .7 percentage points, according to the figures released Thursday. The area's rate fell to 6.3 percent from 7 percent the month before.

Flint has the highest unemployment rate at 6.9 percentage points, trailed closely by Saginaw at 6.8 percent. Flint's rate fell from 7.3 over the previous month and Saginaw's jobless rate fell by .1 percent.

Overall changes in unemployment rates were small with 12 areas registering no changes in unemployment rates or declines as low as .1 or .2 percentage points, officials said.

Total employment is down over the month, the report said, as 11 regions registered declines in employment averaging decreases of .4 percentage points.

However, jobless rates have fallen by an average of 1.5 percent in all of the markets compared to a year ago, the department said.

The most prevalent gains in employment over the year were seen in the Ann Arbor, Lansing-East Lansing and Northeast Lower Michigan regions.

Six regions gained jobs from August to September. Gains in some of these areas, the report said, reflected the beginning of fall semester at various universities.

Among counties, Mackinac County – which includes Mackinac Island – had the lowest unemployment rate at 3.2 percent, and Baraga County had the highest rate of 8.7 percent. A total of three counties – Oscoda, Alcona and Baraga – had unemployment rates of more than eight percent. Wayne County, the state's largest, as well as Montcalm and Gladwin were touching that level with unemployment rates of 7.8 percent, 7.9 percent and 7.8 percent, respectively.

Charities

After Storms, Red Cross Takes Loans

By ERIC LIPTON
The New York Times

Published: October 28, 2005

WASHINGTON, Oct. 27 - Confronted with unprecedented needs that emerged after Hurricanes Katrina and Rita, the American Red Cross has been forced for the first time in its 124-year history to borrow a large sum of money to complete its disaster relief work, the organization said Thursday.

The Red Cross set a \$2.3 billion fund-raising goal in the aftermath of the two hurricanes, more than twice the amount it raised after the Sept. 11 attacks, Carrie Martin, a Red Cross spokeswoman, said.

But so far, the organization has raised just \$1.3 billion. It says an additional \$500 million or so is still on the way. The borrowing was first reported Thursday night by The Washington Post.

"This is the biggest disaster the Red Cross and the country have ever faced," Ms. Martin said. She said the group had already borrowed about \$340 million so it could maintain programs it had committed itself to provide.

The Red Cross, Ms. Martin said, still hopes to raise an additional \$400 million or so, allowing it to pay back the loans and complete its relief effort. But these figures do not include assistance that the organization will provide to victims of Hurricane Wilma in Florida, she said.

"We will be looking to going back to donors who have already given to ask them to dig a little deeper and we will be looking for new donors," she said.

The single biggest piece of aid the Red Cross is providing to victims of Katrina and Rita is cash assistance, which has been given to more than one million families, the organization said. These grants, which average \$1,000 to \$1,200 per family, will ultimately cost the organization an estimated \$1.5 billion.

The Red Cross also opened hundreds of emergency shelters for displaced families, serving 20 million meals in sites spread across 27 states over a six-week period, the organization said. Some of the \$340 million in borrowing was to cover a hotel program that the Red Cross will manage on behalf of the federal government. It will be reimbursed for this expense, which so far has cost about \$150 million.

The Red Cross this week turned that program over to the Federal Emergency Management Agency, which now is managing it, providing housing in motels or hotels for about 200,000 people.

Confidence in the Red Cross in recent years has suffered because of questions about the strength of its management.

The agency also significantly overstated the population it was serving in its hotel program, estimating as recently as earlier this month that there were 600,000 people in the hotels, when the number was more likely about 200,000, an error that Red Cross officials attributed to a miscalculation by its executives of data provided to it by a contractor.